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8
9 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 * * * * *

11
12 UNITED STATES OF AMERICA,) CASE NOS. 2:24-CR-00091-ODW
13)
14)
15 Plaintiff,) DEFENDANT'S NOTICE OF
16) APPEAL
17 v.)
18)
19 ALEXANDER SMIRNOV,)
20)
21 Defendant.)
22)
23)
24)
25)
26)

20 Notice is hereby given that ALEXANDER SMIRNOV, Defendant herein,
21 hereby appeals to the United States Court of Appeals for the Ninth Circuit from the
22 sentence imposed upon him on January 8, 2025, and the Amended Judgment and
23 Commitment Order entered against him on January 16, 2025 (which withdrew the
24 Judgment and Commitment Order that was entered on January 8, 2025).
25 Specifically, Defendant limits his appeal to the Court's refusal to include in the
26

1 Judgment and Commitment Order that Defendant receive “credit in both Cr. Nos.
2 24-91 and 24-702 for the period of his pretrial detention since the day of his arrest...”
3 as provided for in paragraph 19 of the Guilty Plea Agreement.
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5 The Guilty Plea Agreement was entered pursuant to Rule 11(c)(1)(C), and
6 when the Court accepted the Plea and sentenced the Defendant, the Court accepted
7 the stipulated terms of paragraph 19 and therefore erred in refusing to order in the
8 Judgment and Commitment that Defendant receive said credit.
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10 Defendant has the right to appeal this aspect of his sentencing pursuant to
11 paragraph 22, as the Court did not sentence Defendant as specified in paragraph 19
12 as a result of not including in the Judgment and Commitment Order the language
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1 identified above.

2 Dated this 21st day of January 2025.

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4 Respectfully Submitted:

5 CHESNOFF & SCHONFELD

6 /s/ David Z. Chesnoff

7 DAVID Z. CHESNOFF, ESQ.

8 *Pro Hac Vice*

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16 Attorneys for Defendant ALEXANDER
17 SMIRNOV
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of January 2025, I caused to be served via the Court's e-filing/e-service system a true and correct copy of the foregoing Notice of Appeal to all parties listed on the Court's Service List.

/s/ Camie Linnell
Employee of Chesnoff Schonfeld